

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTIETH LEGISLATURE

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NINETY-FIFTH LEGISLATIVE DAY  
THURSDAY, APRIL 16, 2009

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Pearce, absent and formally excused by the Chair; and Senator Cameron, absent and excused.

Prayer was offered by Chaplain Henry Webb.

The Pledge of Allegiance was led by Kaytlin Schrader, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 15, 2009, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator Cameron was recorded present at this order of business.

On request by Senator Fulcher, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

April 16, 2009

The JUDICIARY AND RULES Committee reports that [S 1223](#) has been correctly printed.

DARRINGTON, Chairman

[S 1223](#) was referred to the Agricultural Affairs Committee.

April 15, 2009

The JUDICIARY AND RULES Committee reports that [S 1166](#), as amended, and [S 1182](#), as amended, have been correctly engrossed.

DARRINGTON, Chairman

[S 1166](#), as amended, and [S 1182](#), as amended, were filed for first reading.

April 16, 2009

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 187](#), [S 1182](#), [H 218](#), [H 258](#), [H 267](#), and [S 1166](#) have been correctly printed.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 15, 2009

The EDUCATION Committee reports out [HCR 30](#) with the recommendation that it do pass.

GOEDDE, Chairman

[HCR 30](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

April 15, 2009

The EDUCATION Committee reports out [H 303](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

GOEDDE, Chairman

There being no objection, [H 303](#) was referred to the Fourteenth Order of Business, General Calendar.

April 16, 2009

The HEALTH AND WELFARE Committee reports out [H 306](#) with the recommendation that it do pass.

LODGE, Chairman

[H 306](#) was filed for second reading.

April 16, 2009

The STATE AFFAIRS Committee reports out [H 287](#) with the recommendation that it do pass.

MCKENZIE, Chairman

[H 287](#) was filed for second reading.

On request by Senator Fulcher, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

### Messages from the House

April 15, 2009

Dear Mr. President:

I transmit herewith Enrolled [H 146](#), as amended, [H 261](#), [H 229](#), [H 245](#), [H 251](#), [H 244](#), as amended, [H 253](#), [H 260](#), [H 265](#), [H 240](#), as amended, [H 264](#), [H 266](#), [HCR 25](#), [H 281](#), [H 269](#), and [H 232](#), as amended in the Senate, for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 146](#), as amended, [H 261](#), [H 229](#), [H 245](#), [H 251](#), [H 244](#), as amended, [H 253](#), [H 260](#), [H 265](#), [H 240](#), as amended, [H 264](#), [H 266](#), [HCR 25](#), [H 281](#), [H 269](#), and [H 232](#), as amended in the Senate, and ordered them returned to the House.

April 15, 2009

Dear Mr. President:

I return herewith Enrolled [S 1110](#), as amended in the House, [S 1121](#), as amended in the House, [S 1141](#), as amended, as amended, [S 1145](#), [S 1186](#), [S 1054](#), [S 1086](#), as amended in the House, and [S 1088](#), as amended in the House, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1110](#), as amended in the House, [S 1121](#), as amended in the House, [S 1141](#), as amended, as amended, [S 1145](#), [S 1186](#), [S 1054](#), [S 1086](#), as amended in the House, and [S 1088](#), as amended in the House, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

April 15, 2009

Dear Mr. President:

I return herewith Enrolled [SJM 102](#), which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [SJM 102](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

April 15, 2009

Dear Mr. President:

I return herewith [S 1222](#) and [S 1148](#), which have failed to pass the House.

ALEXANDER, Chief Clerk

[S 1222](#) and [S 1148](#) were ordered filed in the office of the Secretary of the Senate.

On request by Senator Fulcher, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

#### **Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**

##### **S 1224**

##### **BY FINANCE COMMITTEE**

##### **AN ACT**

APPROPRIATING MONEYS AND DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE RURAL BROADBAND DEVELOPMENT FUND TO THE GENERAL FUND; APPROPRIATING MONEYS FOR ADMINISTRATION OF THE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICES PROGRAM FOR FISCAL YEAR 2009; APPROPRIATING MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

##### **S 1225**

##### **BY FINANCE COMMITTEE**

##### **AN ACT**

RELATING TO INVASIVE SPECIES APPROPRIATIONS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION TO ADMINISTER AN INVASIVE SPECIES VESSEL REGISTRATION PROGRAM FOR FISCAL YEAR 2009;

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF RECREATION TO PASS THESE FUNDS THROUGH TO THE INVASIVE SPECIES FUND FOR FISCAL YEAR 2009; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR EXPENDITURE PURSUANT TO SECTION 22-1911, IDAHO CODE, FOR FISCAL YEAR 2009; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION TO ADMINISTER AN INVASIVE SPECIES VESSEL REGISTRATION PROGRAM FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION TO PASS THESE FUNDS THROUGH TO THE INVASIVE SPECIES FUND FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR EXPENDITURE PURSUANT TO SECTION 22-1911, IDAHO CODE, FOR FISCAL YEAR 2010; AND DECLARING AN EMERGENCY.

[S 1224](#) and [S 1225](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 267](#), as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

[H 258](#), as amended in the Senate, and [H 218](#), as amended in the Senate, by State Affairs Committee, were read the first time at length and filed for second reading.

[H 187](#), as amended in the Senate, by Business Committee, was read the first time at length and filed for second reading.

[S 1166](#), as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

[S 1182](#), as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

#### **Second Reading of Bills**

[H 299](#), [H 308](#), [H 309](#), and [H 310](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1204](#) and [S 1215](#), by State Affairs Committee, were read the second time at length and filed for third reading.

President Pro Tempore Geddes called Senator Darrington to the Chair.

The Senate advanced to the Thirteenth Order of Business.

#### **Third Reading of Bills**

##### **Suspension of Rules**

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of [S 1204](#) were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

[S 1204](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Jorgenson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1204](#) passed, title was approved, and the bill ordered transmitted to the House.

### **Suspension of Rules**

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of [S 1215](#) were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

[S 1215](#) was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Geddes arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1215](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

### **Reports of Standing Committees**

On motion by Senator Davis, seconded by Senator Kelly, by voice vote the Senate recessed at 12:05 p.m. until the hour of 2 p.m. of this day.

### **RECESS AFTERNOON SESSION**

The Senate reconvened at 2 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senator Pearce, absent and formally excused by the Chair; and Senators Cameron and Stegner, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

### **Messages from the House**

April 16, 2009

Dear Mr. President:

I transmit herewith [H 311](#) and [H 312](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 311](#) and [H 312](#) were filed for first reading.

April 16, 2009

Dear Mr. President:

I return herewith [S 1192](#), [S 1193](#), [S 1194](#), [S 1195](#), [S 1197](#), [S 1198](#), [S 1167](#), [S 1169](#), [S 1185](#), [S 1165](#), [S 1199](#), [S 1200](#), [S 1201](#), [S 1202](#), [S 1203](#), [S 1205](#), [S 1206](#), and [S 1175](#), as amended, which have passed the House.

ALEXANDER, Chief Clerk

[S 1192](#), [S 1193](#), [S 1194](#), [S 1195](#), [S 1197](#), [S 1198](#), [S 1167](#), [S 1169](#), [S 1185](#), [S 1165](#), [S 1199](#), [S 1200](#), [S 1201](#), [S 1202](#), [S 1203](#), [S 1205](#), [S 1206](#), and [S 1175](#), as amended, were referred to the Judiciary and Rules Committee for enrolling.

Senators Cameron and Stegner were recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

### **Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**

[H 311](#) and [H 312](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

### **Third Reading of Bills**

[H 276](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hammond arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the President declared [H 276](#) passed, title was approved, and the bill ordered returned to the House.

[H 268](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the President declared [H 268](#) passed, title was approved, and the bill ordered returned to the House.

[H 272](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the President declared [H 272](#) passed, title was approved, and the bill ordered returned to the House.

[H 273](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hammond arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the President declared [H 273](#) passed, title was approved, and the bill ordered returned to the House.

[H 274](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator LeFavour arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie,

Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the President declared [H 274](#) passed, title was approved, and the bill ordered returned to the House.

[H 277](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the President declared [H 277](#) passed, title was approved, and the bill ordered returned to the House.

[H 280](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the President declared [H 280](#) passed, title was approved, and the bill ordered returned to the House.

[H 282](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hammond arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the President declared [H 282](#) passed, title was approved, and the bill ordered returned to the House.

[H 283](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the President declared [H 283](#) passed, title was approved, and the bill ordered returned to the House.

[H 284](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bilyeu arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the President declared [H 284](#) passed, title was approved, and the bill ordered returned to the House.

[H 290](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the President declared [H 290](#) passed, title was approved, and the bill ordered returned to the House.

[H 291](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the President declared [H 291](#) passed, title was approved, and the bill ordered returned to the House.

[H 292](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the President declared [H 292](#) passed, title was approved as corrected, and the bill ordered returned to the House.

[H 293](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the President declared [H 293](#) passed, title was approved, and the bill ordered returned to the House.

[H 294](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"



Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the President declared [H 294](#) passed, title was approved, and the bill ordered returned to the House.

[H 295](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the President declared [H 295](#) passed, title was approved, and the bill ordered returned to the House.

[H 296](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator LeFavour arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the President declared [H 296](#) passed, title was approved, and the bill ordered returned to the House.

[H 297](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie,

Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the President declared [H 297](#) passed, title was approved, and the bill ordered returned to the House.

[H 298](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator LeFavour arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the President declared [H 298](#) passed, title was approved, and the bill ordered returned to the House.

[H 300](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the President declared [H 300](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the following House bills were placed at the head of the Third Reading Calendar: [H 299](#), [H 308](#), [H 309](#), and [H 310](#), followed by all Senate bills, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Twelfth Order of Business.

## Second Reading of Bills

### Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of [S 1166](#), as amended, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring

all bills to be read on three several days were dispensed with, this being a case of urgency.

[S 1166](#), as amended, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Goedde disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Andreason, Bair, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Keough, Lodge, McGee, McKague, McKenzie, Mortimer, Schroeder, Siddoway, Smyser, Stegner, Winder. Total - 27.

NAYS—Bilyeu, Bock, Kelly, LeFavour, Sagness (Malepeai), Thorson (Stennett), Werk. Total - 7.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the President declared [S 1166](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

### Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of [S 1182](#), as amended, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

[S 1182](#), as amended, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator McGee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Pearce. Total - 1.

Total - 35.

Whereupon the President declared [S 1182](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

### Reports of Standing Committees

April 16, 2009

The JUDICIARY AND RULES Committee reports that [S 1224](#) and [S 1225](#) have been correctly printed.

DARRINGTON, Chairman

[S 1224](#) and [S 1225](#) were referred to the Finance Committee.

April 16, 2009

The FINANCE Committee reports out [S 1224](#) and [S 1225](#) with the recommendation that they do pass.

CAMERON, Chairman

[S 1224](#) and [S 1225](#) were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Kelly, by voice vote, the Senate adjourned at 4:05 p.m. until the hour of 10 a.m., Friday, April 17, 2009.

BRAD LITTLE, President

Attest: JEANNINE WOOD, Secretary